

photographs that were submitted as part of an Information Disclosure Statement. The objection is thus believed in error and withdrawal of the same is requested.

Claims 1-22 are currently pending in the application. New claims 23 and 24 are presented for consideration.

Claim 20 stands objected to because of an alleged dependency problem. Claim 20 was intended to depend from claim 19, rather than claim 1. Appropriate correction has been made.

Claims 4, 6-8 and 15 stand objected to as being dependent upon a rejected base claims. Claims 4, 6 and 15 have been amended so as to make these claims allowable, as well as claims 7 and 8, which each depend from now allowable claim 6.

Claims 1, 3, 5, 9-14 and 16-22 stand rejected under 35 USC §102 as allegedly anticipated by U.S. Patent No. 5,903,921 (Dow). Claims 1 and 2 stand rejected under 35 USC §102 as allegedly anticipated by U.S. Patent No. 5,991,927 (Barbaccia). Reconsideration of claims 1, 3, 5, 9-14 and 16-22, and consideration of new claims 23 and 24 are requested.

Claim 1 has been amended to clarify that the visor in the deformed state has a second width dimension taken transversely to the fore-and-aft line that is less than the first width dimension. The at least one holding element is characterized as fully separable from the headwear piece. Further, a part of the crown is characterized as folded forwardly towards the visor.

In Dow, as seen in Figs. 6A-8C, the headwear piece is folded so that the second width dimension of the visor is the same as the first width dimension taken transversely to

a fore-and-aft line. The embodiment in Fig. 1 of Dow does not teach or suggest any separate holding element as recited. Barbaccia does not teach or suggest folding a part of a crown forwardly towards a visor.

Neither Dow nor Barbaccia teaches or suggests the structure recited in claim 1.

Claims 2, 3, 5, 9-14 and 16-18 depend cognately from claim 1 and recite further significant structural detail to further distinguish over the cited art.

Claim 19 has been amended to characterize the headwear piece as having a visor projecting forwardly from the crown. The visor, in the deformed state, is formed into a cylindrical shape around a fore-and-aft line. At least one holding element is characterized as fully separable from the headwear piece.

The embodiment in Figs. 1A-5 of Dow does not have a holding element that is fully separable from the headwear piece. The embodiment in Figs. 6A-8C of Dow is not described to be formed into a cylindrical shape around a fore-and-aft line. Dow does not teach or suggest the structure in amended claim 19.

Claims 20-22 and new claim 23 each depend from claim 19 and recite further significant structural detail to further distinguish over the cited art.

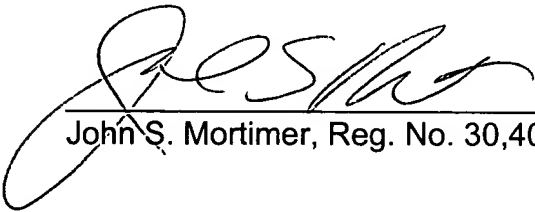
Claim 24 corresponds to claim 19, in its originally presented form, and additionally recites at least one holding element comprising a tubular body which extends around the headwear piece.

The art is devoid of any teaching or suggestion of this combination.

Reconsideration of the rejection of claims 1-3, 5, 9-14 and 16-22, and allowance of the case are requested.

Enclosed is the extra claim fee of \$144.00. Should additional fees be required in connection with this matter, please charge our deposit account No. 23-0785.

Respectfully submitted,



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MARKED UP VERSION OF AMENDMENTS

IN THE CLAIMS:

Please amend claim 1 as follows:

1. (amended) 1. In combination:

a) a headwear piece having a front and rear and comprising a crown having a surface which is grippingly engageable with a wearer's head and a visor projecting in a forward direction away from the crown,

wherein the visor has a relaxed state wherein the visor has a first width dimension taken transversely to a fore-and-aft line and a deformed state,

wherein the visor in the deformed state has a second width dimension taken transversely to the fore-and-aft line that is less than the first width dimension; and

b) at least one holding element that is fully separable from the headwear piece,

the at least one holding element maintaining the visor in the deformed state so that the visor has the second width dimension,

wherein a part of the crown is folded forwardly toward the visor.

Please rewrite claim 4 in independent form as follows:

4. (rewritten) [The] In combination [according to claim 1]:

a) a headwear piece having a front and rear and comprising a crown having a surface which is grippingly engageable with a wearer's head and a visor projecting in a forward direction away from the crown,

wherein the visor has a relaxed state wherein the visor has a first width dimension taken transversely to a fore-and-aft line and a deformed state,

wherein the visor in the deformed state has a second width dimension that is less than the first width dimension; and

b) at least one holding element,

the at least one holding element maintaining the visor in the deformed state so that the visor has the second width dimension,

wherein the at least one holding element comprises a tubular body which extends around the headwear piece.

Please rewrite claim 6 in independent form as follows:

6. (rewritten) [The] In combination [according to claim 1]:

a) a headwear piece having a front and rear and comprising a crown having a surface which is grippingly engageable with a wearer's head and a visor projecting in a forward direction away from the crown,

wherein the visor has a relaxed state wherein the visor has a first width dimension taken transversely to a fore-and-aft line and a deformed state,

wherein the visor in the deformed state has a second width dimension that is less than the first width dimension; and

b) at least one holding element,

the at least one holding element maintaining the visor in the deformed state so that the visor has the second width dimension,

wherein the at least one holding element comprises a cylindrical tube.

Please rewrite claim 15 in independent form as follows:

15. (rewritten) [The] In combination [according to claim 13]:

a) a headwear piece having a front and rear and comprising a crown having a surface which is grippingly engageable with a wearer's head and a visor projecting in a forward direction away from the crown,

wherein the visor has a relaxed state wherein the visor has a first width dimension taken transversely to a fore-and-aft line and a deformed state,

wherein the visor in the deformed state has a second width dimension that is less than the first width dimension; and

b) at least one holding element,

the at least one holding element maintaining the visor in the deformed state so that the visor has the second width dimension,

wherein the crown is folded against the visor,

wherein the visor in the deformed states defines a cylindrical shape and at least a part of the crown resides within the cylindrical shape.

Please amend claim 19 as follows:

19. (amended) In combination:

a) a headwear piece comprising a crown with a surface which is grippingly engageable with a wearer's head and a visor projecting from the crown,

wherein the visor has a deformed state in which the visor is formed into a cylindrical shape around a fore-and-aft line; and

b) at least one holding element that is fully separable from the headwear piece, the at least one holding element maintaining the visor in the deformed state.

Please amend claim 20 as follows:

20. The combination according to claim [1] 19 wherein with the visor in the deformed state the cylindrical shape extends through 360°.

Please add new claims 23 and 24 as follows:

23. The combination according to claim 19 wherein the at least one holding element comprises a tubular body which extends around the headwear piece.

24. In combination:

a) a headwear piece comprising a crown with a surface which is grippingly engageable with a wearer's head and a visor projecting from the crown,

wherein the visor has a deformed state in which the visor is formed into a cylindrical shape; and

b) at least one holding element, the at least one holding element maintaining the visor in the deformed state,

wherein the at least one holding element comprises a tubular body which extends around the headwear piece.